

ORIGINAL

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DISTRICT COURT OF GUAM

JUN 01 2007

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IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

REX GARRIDO,

Defendant.

CRIMINAL CASE NO. 06-00009

**GOVERNMENT'S RESPONSE TO
DEFENDANT'S OBJECTIONS
TO THE PRESENTENCE
INVESTIGATION REPORT**

The defendant is not entitled to a downward adjustment for mitigating role under USSG § 3B1.2. The defendant's participation in the offense "was integral to the successful completion of the drug transaction." United States v. Duran, 189 F.3d 1071, 1089 (9th Cir. 1991). As part of his role in the offense, he traveled to the Philippines and brought with him the drug proceeds and part of his savings in order to obtain methamphetamine. The defendant dealt with his source of supply in the Philippines and paid such source directly in exchange for the drugs. The defendant also helped his source to conceal the drugs for shipment to Guam. His significant participation in the offense

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1 does not qualify him for a mitigating role adjustment. United States v. Cantrell, 433 F.3d 1269,
2 1283-84 (9th Cir. 2006).

3 Dated this 1st day of June 2007.

4 LEONARDO M. RAPADAS
5 United States Attorney
6 Districts of Guam and CNMI

7 By:



8 MARIVIC P. DAVID
9 Assistant U.S. Attorney
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